

# MINUTES

## City of Carrollton Mayor and Council Meeting

March 3, 2008

6:00 p.m.

Public Safety Complex, Court/Council Chambers, 115 West Center Street, Carrollton, Georgia

### I. CALL TO ORDER

The Mayor and City Council met in regular session on Monday, March 3, 2008 at 6:00 p.m. in the Public Safety Annex Building, 115 West Center Street, Carrollton, Georgia. Mayor Wayne Garner called the meeting to order at 6:00 p.m. Members present: Councilmember Peter Balega, Councilmember Gerald Byrd, Councilmember Rusty Gray and Councilmember Mandy Maierhofer.

### II. INVOCATION

Councilmember Byrd offered the invocation.

### III. CITIZEN COMMENTS

Mayor Garner welcomed University of West Georgia students. City Manager Coleman responded to Mr. Dillard Buchanan's question regarding the water loans the City Council had approved a few months ago for water issues. City Manager Coleman and Assistant City Manager Grizzard reported that the Council had authorized the City Manager to obtain up to 10 million dollars in a GEFA Loan to fund the water plant modifications and to partially fund the purchase of property for the pre-settling pond. ACM Grizzard pointed out that at this point in time the City had not borrowed any of the approved funds.

### IV. MINUTES (January 7, 2008) (February 4, 2008)

**Motion by Councilmember Gray seconded by Councilmember Maierhofer to approve the Minutes of the January 7, 2008 meeting of the Mayor and Council. Motion passed, (5-0).**

**Motion by Councilmember Balega seconded by Councilmember Gray to approve the Minutes of the February 4, 2008 meeting of the Mayor and Council. Motion passed, (5-0).**

### AGENDA AMENDED

At this time, **Motion by Councilmember Byrd, seconded by Councilmember Gray to approve the addition of Item number 7, a Resolution 04-2008 authorizing the City Manager and Mayor to execute all documents necessary to transfer the property of 246 +/- acres to the University System of Georgia for use by the University of West Georgia. Motion passed, (5-0).**

### V. ITEMS OF DISCUSSION

1. Rezoning Request: Rezone from R-20 (Single Family Residential) to O-I (Office Institutional)  
Property Location: 1654 Maple Street  
Petitioner: Zack Albright

A public hearing was held to receive citizen input on a request from petitioner Zack Albright to rezone property located at 1654 Maple Street from R-20 (Single Family Residential) to O-I (Office Institutional). Planning and Zoning Administrator Charles Griffin reported that the proposed purpose is to reconstruct the current structure into professional offices. PZA Griffin reported that the Planning Commission had recommended approval of the request with the following conditions:

1. The owner / developer shall be restricted to office use only.
2. The current residential home located on the property will remain as the building for the office use of the property. Any alteration will retain the residential and architectural design and integrity of the structure. Any replacement which is necessary in the future will also conform to the same design and architectural integrity as the current residential structure. No building on the property will have any exterior façade other than brick and masonry, shall be more than one story in height, or shall have a flat or metal roof.
3. Signage will be monument style only, consist of materials comparable to the principal structure and not be over five (5) feet in height, nor contain on the sign(s) any lights or features which provide for any motion or change in message.
4. The operation hours of any use shall not be open to the public or clients before 8:00 A.M. or after 6:00 P.M. No use will be open on Sundays.
5. The applicant or subsequent property owners will agree to reimburse the city for the cost of a sidewalk located in front of the property, if it were installed as part of a project to extend a sidewalk along Maple Street for the entire block.

At this time Mayor Garner opened the public hearing to receive citizen input. Those speaking in favor: Mr. Thomas E. Parmer, Attorney, 120 Dixie Street, introduced himself and spoke on behalf of the petitioner. Mr. Parmer stated that the structure would be maintained as an attractive professional office with landscaping and buffering so as not to impact adjoining property owners located to the rear. In addition, Mr. Parmer stated that the hours of operation would be limited to day time use. Mr. Parmer noted that the applicant could use the property for rental purposes, which often turns into a fraternity house, but had rather convert it to a professional use, such as the Holmes & Robinson Accounting firm also located on Maple Street. Parmer provided photographs of

several surrounding Maple Street properties, most of which were rental, where multiple vehicles were parked at each house. Those speaking opposed: None. With no further discussion on the matter, ***motion by Councilmember Gray seconded by Councilmember Byrd to accept the Planning Commission's recommendation to rezone 1654 Maple Street from R-20 (Single Family Residential) to O-I (Office Institutional) with the following conditions: 1. The owner / developer shall be restricted to office use only. 2. The current residential home located on the property will remain as the building for the office use of the property. Any alteration will retain the residential and architectural design and integrity of the structure. Any replacement which is necessary in the future will also conform to the same design and architectural integrity as the current residential structure. No building on the property will have any exterior façade other than brick and masonry, shall be more than one story in height, or shall have a flat or metal roof. 3. Signage will be monument style only, consist of materials comparable to the principal structure and not be over five (5) feet in height, nor contain on the sign(s) any lights or features which provide for any motion or change in message. 4. The operation hours of any use shall not be open to the public or clients before 8:00 A.M. or after 6:00 P.M. No use will be open on Sundays. 5. The applicant or subsequent property owners will agree to reimburse the city for the cost of a sidewalk located in front of the property, if it were installed as part of a project to extend a sidewalk along Maple Street for the entire block. Those voting in favor of the motion: Mayor Garner, Councilmembers Balega, Byrd and Gray. Those opposed: Councilmember Maierhofer. Motion passed, (4-1).***

## 2. Potential Property Purchase

CM Coleman announced that in mid February, the Assistant Special Agent in Charge (ASAC), Commander Chris Hosey of the West Georgia Drug Task Force (GBI), along with Carroll County Sheriff Terry Langley and Carrollton Police Chief Joel Richards approached regarding the future of the Drug Task Force. During that discussion Commander Hosey revealed that the GBI was considering a pilot program to expand their fight against illegal drugs in approximately 22 counties of the State of Georgia. Commander Hosey further expressed both his and the GBI's desire to locate this program in Carrollton/Carroll County, as we have been participating members since the inception of the initial program. In this pilot program as many as 24 – 30 GBI agents of varied rank would be located in Carrollton and would work in the area as well as respond to other regions. The City has located a building which would meet the requirements of the project. CM Coleman has confirmed that the old Martin-Hightower Funeral Home owned by Doyle and Rebecca Akins could be purchased for \$495,000. This price includes all the funeral home property; the small gray house next door and the paved parking lot to the rear. CM Coleman requested the Mayor and Council's consideration of the following:

- Purchase the Akin property in joint ownership between the City of Carrollton and Carroll County with the City to provide \$200,000 and the County to provide \$200,000, along with the Carrollton Police Department providing \$50,000 and Carroll County Sheriff providing \$50,000 from their seized drug funds.
- Remodeling/Upgrades to be done with funds provided by the Villa Rica Police Department and other participating law enforcement agencies' seized drug funds.
- The GBI be allowed to habitat the building "rent free" so long as their operation needs the space and that they provide the maintenance to the building and cost of utilities.

The Mayor and Council expressed their support of the project. ***Motion by Councilmember Maierhofer, seconded by Councilmember Byrd to authorize the City Manager to proceed with the purchase of the Akin property (Old Martin Hightower Funeral Home and surrounding parcels) in joint ownership between the City of Carrollton and Carroll County with the City to provide \$200,000 and the County to provide \$200,000, along with the Carrollton Police Department providing \$50,000 and Carroll County Sheriff providing \$50,000 from their seized drug funds. Remodeling/Upgrading to be done with funds provided by the Villa Rica Police Department and other participating law enforcement agencies' seized drug funds and permit the GBI to habitat the building "rent free" so long as their operation needs the space and that they provide the maintenance to the building and cost of utilities. Motion passed, (5-0).***

## 3. Resolution 02-2008 – Park Place Housing

City Manager Coleman introduced Mr. Jim Markel of Potemkin – Magita Development Company Inc. Mr. Markel is proposing to build a 55 and older, affordable housing project located off North Park Street. Mr. Markel shared the concept of the project with the Mayor and Council and explained Resolution 02-2008 offers support only for the project from the Mayor and Council so that he may initiate financing the project. ***Motion by Councilmember Byrd, seconded by Councilmember Gray to approve Resolution 02-2008 supporting an affordable housing project to be located off North Park Street. Motion passed, (5-0).***

## 4. Traffic Analysis – Downtown/Bankhead Highway

CM Coleman introduced Mr. Harris Robinson, Certified Traffic Engineer of Robinson Transportation Consultants. Mr. Robinson was contracted by the City to conduct a traffic analysis of the downtown and the Bankhead Highway corridor. City Manager Coleman referred to the written analysis contained in the Council packet and gave Mr. Robinson the floor to address his traffic analysis. Mr. Robinson shared several large aerial photographs and discussed each corridor, existing unsignalized crosswalks, travel speeds, calming devices, signage improvements and possible lane changes and/or removal. The Mayor and Council expressed their appreciation to Mr. Robinson for his in-depth study. At this time City Manager Coleman recommended that MainStreet Director LaJuana Wilkins share the study with Downtown merchants to receive feedback on the different

proposals. Councilmember Balega also offered to share the study with Bankhead and Newnan Street residents and merchants to receive their input and he would report his findings back to the Council.

## **5. Water Plant Building Modifications**

Assistant City Manager Grizzard reported that the City opened bids for the modifications for the Water Treatment Plant building on November 29, 2007. ACM Grizzard pointed out that based on the Governors mandated reduction in water production, it was deemed prudent to wait to see how the water fund finances were tracking before awarding the project. ACM Grizzard stated that given that the water fund income continues to be healthy and is able to support our capital project program, City staff recommends proceeding with this project. Bids received for the project are as follows:

Headley Construction, Newnan, GA - \$683,000.00  
Heavy Constructors, Marietta, GA - No Bid  
Latimer and Hughes Construction Co., Inc., Carrollton, GA - \$632,000.00  
MWC Construction, Carrollton, GA – No Bid  
Possibility Construction, Atlanta, GA – No Bid  
Shirah Contracting Co, Inc., Mableton, GA – No Bid  
T.A. Milsap, Marietta, GA - \$578,000.00  
Wood Builders, Carrollton, GA - \$868,132.00

ACM Grizzard reported that the budget for this project is \$750,000, including engineering. The engineering cost will total \$34,680 by the completion of the project. City staff recommends that this project be awarded to the lowest bidder, T. A. Milsap of Marietta, GA, in the amount of \$578,000. ACM Grizzard noted that references for the Milsap Company had been excellent. ~~With no further discussion, Motion by Councilmember Byrd, seconded by Councilmember Gray to approve Resolution 02-2008 supporting an affordable housing project to be located off North Park Street. Motion passed, (5-0).~~ With no further discussion, Motion by Councilmember Balega, seconded by Councilmember Maierhofer to award the bid to T.A. Milsap and proceed with the Water Plant Modifications. Motion passed, (5-0).

Clerks Note: Amended December 2, 2008 by a motion from Councilmember Maierhofer, seconded by Councilmember Gray to correct the typographical error of the motion of Item 5 Water Plant Modifications to remove the existing motion as written to reflect the actual motion that occurred at the meeting. Motion passed. (5-0).

## **6. Resolution 03-2008 – CDBG Application**

Carrollton Housing Authority Executive Director Sandra Morris presented for consideration Resolution 03-2008 Community Development Block Grant. The grant is a Community of Affairs sponsored program to assist cities and counties in Georgia with improvements in housing, public facilities, and economic development for eligible activities primarily benefiting low and moderate income persons. Director Morris reported plans to provide a health care clinic and economic development/housing counseling center on Fourth Street in Carrollton. Following a brief discussion, **Motion by Councilmember Byrd, seconded by Councilmember Gray to approve Resolution 03-2008 CDBG Application as presented. Motion passed, (5-0).**

## **7. Resolution 04-2008 – Property Transfer to University of West Georgia**

City Attorney Chuck Conerly presented for consideration Resolution 04-2008 authorizing the City Manager and the Mayor and City Clerk to execute all documents necessary to complete the transfer of property (approximately 246 +/- acres) from the City of Carrollton to the Board of Regents of the University System of Georgia for the use of the University of West Georgia. CA Conerly briefed the Council on the history of the issue:

- September 9, 2003, the City and the University of West Georgia entered into a Memorandum of Intent to transfer to The Board of Regents of the University System of Georgia on behalf of UWG of the real property located adjacent to the existing UWG campus.
- May 18, 2004, the Board of Regents passed a Resolution accepting the gift of the property.
- August 8, 2007 the Board of Regents and the City in furtherance of the transfer of the property entered into an agreement defining the terms of the transfer which is included as Attachment A of the Resolution.
- February 18, 2008 the engineering firm of Keck & Wood, Inc. has now prepared its Final Survey, which is included as Attachment B of the Resolution.

CA Conerly pointed out that the University requested this final document to authorize the City Manager to negotiate the exact final terms as agreed upon in all the aforementioned Resolutions and attachments. **Motion by Councilmember Gray, seconded by Councilmember Maierhofer to approve Resolution 04-2008 – Property Transfer to University of West Georgia. Motion passed, (5-0).**

## **VI. MAYOR AND COUNCIL ANNOUNCEMENTS**

**Councilmember Balega:** Councilmember Balega nominated Dr. Richard Gwynn for the Board of Zoning Appeals when the appointment is brought before the next meeting of the Mayor and Council. CM Balega submitted a report regarding the upcoming SPLOST and proposed projects and asked that the report be made a part of the record. CM Balega inquired to the recent meeting with Carroll County Commission Chairman Bill Chappell and projects discussed. CM Coleman reported that the meeting did hold some discussion regarding the proposed SPLOST and projects, but primarily the focus had been on HB489 issues.

**Councilmember Byrd:** Councilmember Byrd expressed appreciation to the Sanitation Department for their hard work and dedication.

**Councilmember Gray:** Councilmember Gray also expressed appreciation to the Sanitation Department; citing that the Sanitation Truck had backed up to retrieve his garbage he had forgotten to leave out. CM Gray replied that the garbage men were courteous and very friendly about returning.

At this time, the Mayor and Councilmembers expressed appreciation to all employees involved in the clean up after the storms last week.

## **VII. CITY MANAGER ANNOUNCEMENTS**

CM Coleman thanked Public Safety and the Sanitation Departments for their hard work and efforts during and after the storm. CM Coleman reported that Chairman Chappell had made the offer to permit the dumping of storm debris at no charge to City and County residents; noting the money saved for this kind gesture. CM Coleman expressed appreciation to Mr. Ed Smith for the use of his grinder; which in turn again saved the City money. CM Coleman invited everyone to ride by and look at the deck at the painted concrete “brick”; noting he had already received positive calls from the façade of the deck. CM Coleman reported that construction of the new fire station was underway with hopes that the steel portion will be erected next week.

## **VIII. ADJOURN**

There being no further business to address, the meeting adjourned at 6:35 p.m.